

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:08-CR-582 CAS
)	
MOHAMMED BADWAN,)	
)	
Defendant.)	

ORDER

This matter is before the Court on defendant Mohammed Badwan's motion for release of passport. The Court has previously granted Mr. Badwan's motion for leave to travel. Mr. Badwan now seeks an order releasing his passport.

On October 20, 2008, the Court ordered as a condition of defendant's release on bond that he shall surrender his passport to the Clerk of the United States District Court. See Order Setting Conditions of Release, Doc. 140. The applicable policies concerning the surrender of passport or travel documents are set out in Chapter V of Monograph 111, *The Supervision of Federal Defendants*, a publication of the Administrative Office of the Courts approved by Judicial Conference. Monograph 111 has been incorporated in the *Guide to Judiciary Policies and Procedures*, which states at § 535.45.20:

- (b) Disposition of Surrendered Passports
 - (1) If the defendant is convicted, absent specific directives from the court, the custodian of the passport should return the passport to:
 - ...
 - (B) the appropriate Immigration and Customs Enforcement (ICE) Detention and Removal Operations (DRO) field office (if a foreign passport). . . .

Guide to Judiciary Policies and Procedures, Vol. 8, Part C, Ch. 5, § 535.45.20(b)(1)(B),

available at

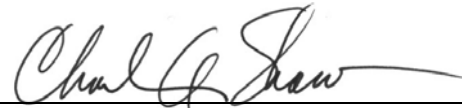
http://jnet.ao.dcn/Guide/Vol_8_Probation_and_Pretrial_Services/Part_C_Supervision_of_Federal_Defendants/Ch_5_Selecting_and_Executing_Supervision_Strategies.html#535_45.

Pursuant to this policy, on March 24, 2010, the Clerk of Court forwarded defendant's passport along with a copy of the judgment to the Immigration and Customs Enforcement Detention and Removal Office in Chicago, Illinois. See Notice Regarding Foreign Passport for Criminal Defendant, Doc. 669. Because the Court no longer has possession of defendant's passport, defendant's request for release of his passport must be denied.

Accordingly,

IT IS HEREBY ORDERED that defendant's motion for release of passport is **DENIED**.

[Doc. 734]

A handwritten signature in black ink, appearing to read "Charles A. Shaw", written over a horizontal line.

CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 19th day of September, 2011.